

## **NOTICES OF RULEMAKING DOCKET OPENING**

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

### **NOTICE OF RULEMAKING DOCKET OPENING**

#### **BOARD OF OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY**

- 1. Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 22, Board of Osteopathic Examiners in Medicine and Surgery  
**Article and its heading:** 1, General Provisions  
**Section numbers:** R4-22-103, R4-22-104, R4-22-105, R4-22-106, R4-22-108, R4-22-109, R4-22-110, R4-22-111, R4-22-116  
The Board may add, delete, or amend additional Sections as necessary.
- 2. Subject matter of the proposed rule:**  
The proposed rules will update statutory references that have changed due to recent statutory amendments. The proposed rules will also change the licensure examination requirements and will repeal an obsolete rule regarding temporary licensees. The proposed rules will also amend certain provisions of the rules to improve clarity, conciseness, and ease of understanding. In addition, the proposed rules will also amend the rules to include all applicable fees to be charged by the Board, and will amend the time limit within which an aggrieved party may request rehearing or review of a Board decision. The proposed rules will amend the provisions of the rules addressing educational requirements for medical assistants and the procedures they are authorized to perform. The proposed rules will also adopt a comprehensive set of time-frames, consistent with the requirements of A.R.S. § 41-1071, which requires an agency that issues licenses to have final rules in place establishing time-frames within which the agency will either grant or deny each type of license that it issues.
- 3. A citation to all published notices relating to the proceeding:**  
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Ann Marie Berger  
Address: Arizona Board of Osteopathic Examiners in Medicine and Surgery  
9535 East Doubletree Ranch Road  
Scottsdale, AZ 85258-5539  
Telephone: (480) 657-7703  
Fax: (480) 657-7715
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
The Board will accept written comments at the location listed above between 8:00 a.m. and 5:00 p.m., Monday through Friday, until the close of record. If an oral proceeding is scheduled for these rules, oral comments may be presented at that time.
- 6. A timetable for agency decisions or other action on the proceeding:**  
None

### **NOTICE OF RULEMAKING DOCKET OPENING**

#### **BOARD OF PSYCHOLOGIST EXAMINERS**

- 1. Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 26, Board of Psychologist Examiners  
**Article and its heading:** 1, General Provisions  
2, Licensure  
3, Regulation  
**Section numbers:** R4-26-101, R4-26-201, R4-26-203, R4-26-203.01, R4-26-208  
The Board may add, delete, or amend additional Sections as necessary.
- 2. Subject matter of the proposed rule:**  
The proposed rule will outline revised application procedures for applications by endorsement, as authorized by legislative changes to A.R.S. §§ 32-2071, 32-2071.01, and 32-2072, and would amend definitions and application deadline

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requirements.

**Agency Docket Number:** 2002-01

**3. A citation to all published notices relating to the proceeding:**

None

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Maxine McCarthy  
Address: 1400 W Washington, Suite 235  
Phoenix, AZ 85007  
Telephone: (602) 542-8162  
Fax: (602) 542-8279  
E-mail: info@psychboard.az.gov

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Board will accept written comments during the Board's regular office hours Monday through Friday from 8:00 a.m. to 5:00 p.m., excluding holidays. Oral comments may also be made at the Board office during office hours. The date of the oral proceeding is yet to be determined.

**6. A timetable for agency decisions or other action on the proceeding:**

June 7-8, 2002 Board Meeting

August 2-3, 2002 Board Meeting

**NOTICE OF RULEMAKING DOCKET OPENING**

**STATE BOARD OF DIRECTORS FOR COMMUNITY COLLEGES OF ARIZONA**

**1. Title and its heading:**

7, Education

**Chapter and its heading:**

1, State Board of Directors for Community Colleges of Arizona

**Article and its heading:**

7, Instruction, Faculty and Staff

**Section numbers:**

R7-1-706

**2. Subject matter of the proposed rule:**

Establish faculty qualifications for instructing at community college districts

**3. A citation to all published notices relating to the proceeding:**

None

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Ashley Fritz, Legislative Liason  
Address: State Board of Directors for Community Colleges of Arizona  
2020 N Central Ave., Suite 570  
Phoenix, AZ 85004  
Telephone: (602) 255-4037  
Fax: (602) 279-3464

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

Written comments will be received beginning March 11, 2002 through May 31, 2002. Oral comments may be made at 1:00 p.m. on June 21, 2002 at 1700 W Washington, Executive Tower, Second Floor.

**6. A timetable for agency decisions or other action on the proceeding:**

The proposed rule will be considered for adoption on June 21, 2002 at a public hearing scheduled for 1:00 p.m.

**NOTICE OF RULEMAKING DOCKET OPENING**

**STATE BOARD OF DIRECTORS FOR COMMUNITY COLLEGES OF ARIZONA**

- 1. Title and its heading:** 7, Education  
**Chapter and its heading:** 1, State Board of Directors for Community Colleges of Arizona  
**Article and its heading:** 9, Land and Buildings  
**Section numbers:** R7-1-902, R7-1-902.01, R7-1-902.02, R7-1-902.03, R7-1-902.04, R7-1-902.05, R7-1-902.06
- 2. Subject matter of the proposed rule:**  
Procurement of construction and construction related services by community college districts
- 3. A citation to all published notices relating to the proceeding:**  
Notice of Rulemaking Docket Opening: 8 A.A.R. 154, January 4, 2002
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Mary Jo Saiz, Interim Associate Executive Director  
  
Address: State Board of Directors for Community Colleges of Arizona  
2020 N Central Ave. Suite 570  
Phoenix, AZ 85004  
  
Telephone: (602) 255-4037  
Fax: (602) 279-3464  
E-mail: saiz@stbd.cc.az.us
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
Written comments will be received beginning March 15, 2002 through May 15, 2002, at 5:00 p.m.
- 6. A timetable for agency decisions or other action on the proceeding:**  
The proposed rule will be considered for adoption on June 21, 2002 at a public hearing scheduled for 1:00 p.m.

**NOTICE OF RULEMAKING DOCKET OPENING**

**COMMISSION FOR POSTSECONDARY EDUCATION**

- 1. Title and its heading:** 7, Education  
**Chapter and its heading:** 3, Commission for Postsecondary Education  
**Article and its heading:** 5, Arizona Family College Savings Program  
**Section numbers:** R7-3-501, R7-3-506, R7-3-508
- 2. The subject matter of the proposed rule:**  
Pertains to bringing Program Rules into conformity with IRS federal regulations regarding 529 plans in the Arizona Family College Savings Program
- 3. A citation to all published notices relating to the proceeding:**  
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Verna L. Allen, Executive Director  
  
Address: 2020 N. Central Avenue, Suite 550  
Phoenix, AZ 85004  
  
Telephone: (602) 258-2435, ext. 106  
Fax: (602) 258-2483
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
Written comments accepted:  
  
8:00 a.m. to 5:00 p.m., Monday through Friday  
  
Arizona Commission for Postsecondary Education  
2020 N. Central Avenue, Suite 550  
Phoenix, AZ 85004

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**6. A timetable for agency decisions or other action on the proceeding, if known:**

No deadline has been set at this time.

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF HEALTH SERVICES - CHILD CARE FACILITIES**

**1. Title and its heading:**  
**Chapter and its heading:**  
**Article and its heading:**

9, Health Services  
5, Department of Health Services - Child Care Facilities  
1, General  
2, Facility Licensure  
5, Facility Program and Equipment  
7, Child Care Group Home Certification  
8, Child Care Group Home Administration  
9, Program and Equipment for Child Care Group Homes  
10, Activity Areas and Physical Facility Standards for Child Care Group Homes  
  
R9-5-101, R9-5-102, R9-5-201, R9-5-202, Table 1, R9-5-203, R9-5-204, R9-5-205, R9-5-206, R9-5-207, R9-5-208, R9-5-209, R9-5-509, R9-5-701, R9-5-702, Table 2, R9-5-703, R9-5-704, R9-5-705, R9-5-706, R9-5-707, R9-5-708, R9-5-801, R9-5-802, R9-5-804, R9-5-806, R9-5-807, R9-5-901, R9-5-903, R9-5-904, R9-5-905, R9-5-906, R9-5-907, R9-5-908, R9-5-909, R9-5-912, R9-5-1001, and R9-5-1003  
(The Department may add, delete, or modify additional Sections as necessary.)

**Section numbers:**

**2. Subject matter of the proposed rule:**

This rulemaking makes changes necessary to make the rules consistent with statutory changes resulting from legislation in 1998, 1999, 2000, and 2001 and with Department practices. The rulemaking also updates the definitions for the Chapter. For child care facilities, this rulemaking extends current time-frames for licensure and adds time-frames for approval of a change affecting a license. In addition, this rulemaking makes the child care facility rules consistent with the new rules for food establishments, contained in 9 A.A.C. 8, Article 1, which became effective on October 3, 2001. For child care group homes, this rulemaking creates time-frames for certification and for approval of a change affecting a certificate. This rulemaking also changes the term "day care group home" to "child care group home" throughout Articles 7 through 10. Finally, this rulemaking makes the rules consistent with current rulemaking format and style requirements. The Department may make additional changes to Sections as necessary.

**Agency Docket Number:** RE-007-02

**3. A citation to all published notices relating to the proceeding:**

None

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Kathleen Philips, Rules Administrator

Address: Arizona Department of Health Services  
Office of Administrative Rules  
1740 W. Adams Room 102  
Phoenix, AZ 85007

Telephone: (602) 542-1264

Fax: (602) 364-1150

E-mail: kphilli@hs.state.az.us

or

Name: Lourdes Ochoa, Health Program Manager III

Address: Arizona Department of Health Services  
Division of Assurance and Licensure Services  
Office of Child Care Licensure  
1647 E. Morten Ave., Suite 230  
Phoenix, AZ 85020

Telephone: (602) 674-4220

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Fax: (602) 861-0674  
E-mail: lochoa@hs.state.az.us

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Department will accept written comments until the close of record at 5:00 p.m. on May 6, 2002. The Department has not scheduled any oral proceedings.

**6. A timetable for agency decisions or other action on the proceeding:**

None

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF HEALTH SERVICES - COMMUNICABLE DISEASES**

- 1. Title and its heading:** 9, Health Services  
**Chapter and its heading:** 6, Department of Health Services – Communicable Diseases  
**Article and its heading:** 2, Communicable Disease Reporting  
**Section numbers:** R9-6-202 (The Department may add, delete, or modify additional Sections as necessary.)

**2. The subject matter of the proposed rule:**

This rule package clarifies the clinical laboratory reporting requirement for HIV and adds a clinical laboratory reporting requirement for laboratory findings of CD<sub>4</sub>-T-lymphocyte counts of fewer than 200 per microliter of whole blood or CD<sub>4</sub>-T-lymphocyte percentages of total lymphocytes of less than 14%. The addition of this reporting requirement is consistent with the Centers for Disease Control and Prevention's definition of AIDS and will improve the Department's ability to track the number of AIDS cases in Arizona. This rule package also makes a minor stylistic change to R9-6-202 that was recommended by Governor's Regulatory Review Council staff to make the rule more clear, concise, and understandable.

**The agency docket number, if applicable:** RE-008-02

**3. A citation to all published notices relating to the proceeding:**

None

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Kip Beardsley  
Address: Arizona Department of Health Services  
Office of HIV/STD  
3815 N. Black Canyon Highway  
Phoenix, AZ 85015  
Telephone: (602) 230-5822  
Fax: (602) 230-5973  
E-mail: kbeards@hs.state.az.us

or

Name: Kathleen Phillips  
Address: Arizona Department of Health Services  
Office of Administrative Rules  
1740 W. Adams, Room 102  
Phoenix, AZ 85007  
Telephone: (602) 542-1264  
Fax: (602) 364-1150  
E-mail: kphilli@hs.state.az.us

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Department will accept written comments until the close of record at 5:00 p.m. on May 6, 2002. The Department has not scheduled any oral proceedings.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

None

**NOTICE OF RULEMAKING DOCKET OPENING**

**ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) - ADMINISTRATION**

- 1. Title and its heading:** 9, Health Services  
**Chapter and its heading:** 22, Arizona Health Care Cost Containment System - Administration  
**Article and its heading:** 12, Behavioral Health Services  
**Section numbers:** R9-22-1205, and other Sections may be added  
deleted or modified as necessary
- 2. The subject matter of the proposed rule:**  
The Administration is opening the rules to strike language concerning health plan coverage of emergency behavioral health services, and to clarify RBHA coverage of these services.
- 3. A citation to all published notices relating to the proceeding:**  
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Cheri Tomlinson, Federal and State Policy Administrator  
  
Address: AHCCCS  
Office of Policy Analysis and Coordination  
801 E. Jefferson, Mail Drop 4200  
Phoenix, AZ 85034  
  
Telephone: (602) 417-4198  
Fax: (602) 256-6756
- 5. The time which the agency will accept written comments and the time and place where oral comments may be made:**  
The Administration will accept written comments Monday through Friday, 8:00 a.m. to 5:00 p.m., at the address indicated in item #4. E-mail comments will not be accepted. Public hearings will be scheduled later to provide a forum for interactive discussion with interested parties.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
The Administration anticipates filing a Notice of Proposed Rulemaking in April 2002 and holding a public hearing in June 2002.

**NOTICE OF RULEMAKING DOCKET OPENING**

**ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS)  
CHILDREN'S HEALTH INSURANCE PROGRAM**

- 1. Title and its heading:** 9, Health Services  
**Chapter and its heading:** 31, Arizona Health Care Cost Containment System (AHCCCS) -  
Children's Health Insurance Program  
**Article and its heading:** 12, Behavioral Health Services  
**Section numbers:** 16, Services for Native Americans  
R9-31-1205, R9-31-1625, and other Sections  
may be added deleted or modified as necessary
- 2. The subject matter of the proposed rule:**  
The Administration is opening the rules to strike language concerning health plan coverage of emergency behavioral health services, and to clarify RBHA coverage of these services.
- 3. A citation to all published notices relating to the proceeding:**  
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Cheri Tomlinson, Federal and State Policy Administrator  
  
Address: AHCCCS  
Office of Policy Analysis and Coordination  
801 E. Jefferson, Mail Drop 4200  
Phoenix, AZ 85034  
  
Telephone: (602) 417-4198  
Fax: (602) 256-6756

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**5. The time which the agency will accept written comments and the time and place where oral comments may be made:**

The Administration will accept written comments Monday through Friday, 8:00 a.m. to 5:00 p.m., at the address indicated in item #4. E-mail comments will not be accepted. Public hearings will be scheduled later to provide a forum for interactive discussion with interested parties.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

The Administration anticipates filing a Notice of Proposed Rulemaking in April 2002 and holding a public hearing in June 2002.

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF ENVIRONMENTAL QUALITY - ADMINISTRATION**

**1. Title and its heading:**

18, Environmental Quality

**Chapter and its heading:**

1, Department of Environmental Quality - Administration

**Article and its heading:**

6, Required Identity Information

**Section numbers:**

R18-1-601, R18-1-602

(Section numbers may be added, deleted or modified to address the subject matter of the proposed rule)

**2. The subject matter of the proposed rule:**

The Department is considering rules that will clarify and standardize certain fundamental identity information required when persons make submittals to the Department. The rules will affect all persons making license applications, notices, reports, or other submittals to the Department that are required by law.

The rules will simplify the format of this required identity information and facilitate Department use of standard information forms for all submittals.

**3. A citation to all published notices relating to the proceeding:**

Not applicable

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Primary Contact:

Name: Deborah K. Blacik

Address: Arizona Department of Environmental Quality  
3033 N. Central Ave., 8th Floor  
Phoenix, AZ 85012

Telephone: (602) 207-2223 or (800) 234-5677, ext. 2223 (Arizona only)

Fax: (602) 207-2251

E-mail: blacik.deborah@ev.state.az.us

Secondary Contact:

Name: Martha Seaman

Address: Arizona Department of Environmental Quality  
3033 N. Central Ave., 8th Floor  
Phoenix, AZ 85012

Telephone: (602) 207-2221 or (800) 234-5677, ext. 2221 (Arizona only)

Fax: (602) 207-2251

E-mail: seaman.martha@ev.state.az.us

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

To be announced in the Notice of Proposed Rulemaking

**6. A timetable for agency decisions or other action on the proceeding, if known:**

To be announced in the Notice of Proposed Rulemaking

## **NOTICE OF RULEMAKING DOCKET OPENING**

### **DEPARTMENT OF ENVIRONMENTAL QUALITY - SAFE DRINKING WATER**

- 1. Title and its heading:** 18, Environmental Quality  
**Chapter and its heading:** 4, Department of Environmental Quality - Safe Drinking Water  
**Article and its heading:** 9, (New Article)  
**Section numbers:** R18-4-901 et seq., and possible other Articles and Sections yet to be determined
- 2. The subject matter of the proposed rule:**  
The purpose of this rulemaking is to set out in rule the guidelines for a new program to be administered by the Department. The program will utilize federal funds to provide training for certified operators of drinking water and wastewater facilities in Arizona.
- 3. A citation to all published notices relating to the proceeding:**  
Not applicable
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Anthony J. Bode, Manager, Program Development & Outreach, Drinking Water Section  
  
Address: Arizona Department of Environmental Quality  
3033 N. Central Ave. (M0248A)  
Phoenix, AZ 85012  
  
Telephone: (602) 207-4648 (Phoenix Area) or (800) 234-5677, ext. 4648 (other parts of Arizona)  
  
Fax: (602) 207-4634  
  
E-mail: Bode.Tony@ev.state.az.us
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
The Department will publish a Notice of Proposed Rulemaking in the *Arizona Administrative Register* by April 2002, after which it will accept written comments until the close of public record date specified in the Notice of Proposed Rulemaking. If the Department holds a public proceeding at which oral comments may be made, the date(s) and time(s) of the proceedings will be published in the *Arizona Administrative Register*.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
It is anticipated that a Notice of Proposed Rulemaking will be filed with the Office of the Secretary of State for publication in the *Arizona Administrative Register* by April 2002, and that a Notice of Final Rulemaking will be filed by August 2002. Contact the agency personnel named above for the current status of the rulemaking (or check the Department's web site at <http://www.adeq.state.az.us/lead/osc/drafrules.html>); agency personnel can also arrange for interested parties to inspect the proposed rule or any part of the rulemaking docket or record.

## **NOTICE OF RULEMAKING DOCKET OPENING**

### **DEPARTMENT OF ENVIRONMENTAL QUALITY - WATER POLLUTION CONTROL**

- 1. Title and its heading:** 18, Environmental Quality  
**Chapter and its heading:** 9, Department of Environmental Quality - Water Pollution Control  
**Article and its heading:** 9, Arizona Pollution Discharge Elimination System  
**Section numbers:** 10, Land Application of Biosolids  
R18-9-A902, R18-9-A903, R18-9-A905
- 2. The subject matter of the proposed rule:**  
This rulemaking makes corrections required by the U.S. Environmental Protection Agency for program approval.
- 3. A citation to all published notices relating to the proceeding:**  
Notice of Proposed Rulemaking: 8 A.A.R. 1218, March 29, 2002 (*in this issue*)
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Shirley J. Conard  
  
Address: Arizona Department of Environmental Quality  
3033 N. Central Ave., M0401A-422  
Phoenix, AZ 85012  
  
Telephone: (602) 207-4632 (Metro-Phoenix area) or (800) 234-5677, ext. 4632 (other areas)



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Fax: (602) 207-4674  
E-mail: conard.shirley@ev.state.az.us

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

Written comments will be accepted at the location listed in item #4 between 8:00 a.m. and 5:00 p.m., Monday through Friday. Oral comments will be accepted at the location listed in item #4 between 8:00 a.m. and 4:00 p.m., Monday through Friday. Comments will be accepted until the close of the record, which has not yet been determined.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

The proposed rulemaking is filed in conjunction with this docket opening [see 8 A.A.R. 1218 in this issue]. The Department expects that the final rulemaking will be heard by the Governor's Regulatory Review Council in July.

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF ENVIRONMENTAL QUALITY - WATER QUALITY STANDARDS**

**1. Title and its heading:**

18, Environmental Quality

**Chapter and its heading:**

11, Department of Environmental Quality - Water Quality Standards

**Article and its heading:**

3, Reclaimed Water Quality Standards

**Section numbers:**

R18-11-301, R18-11-302, R18-11-303 R18-11-304, R18-11-305,  
R18-11-306, R18-11-307, R18-11-308, R18-11-309, Table A

**2. The subject matter of the proposed rule:**

This rulemaking deals with changes to the Reclaimed Water Quality Standards as a result of the current rulemaking under 18 A.A.C. 9, Articles 6 and 7.

**3. A citation to all published notices relating to the proceeding:**

None

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Shirley J. Conard

Address: Arizona Department of Environmental Quality  
3033 N. Central Ave., M0401A-422  
Phoenix, AZ 85012

Telephone: (602) 207-4632 (Metro-Phoenix area) or (800) 234-5677, ext. 4632 (other areas)

Fax: (602) 207-4674

E-mail: conard.shirley@ev.state.az.us

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

Written comments will be accepted at the location listed in item #4 between 8:00 a.m. and 5:00 p.m., Monday through Friday. Oral comments will be accepted at the location listed in item #4 between 8:00 a.m. and 4:00 p.m., Monday through Friday. Comments will be accepted until the close of the record, which has not yet been determined.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

Unknown. However, this rulemaking will be submitted in conjunction with the Aquifer Protection Permitting and Direct Reuse of Reclaimed Water rulemakings currently promulgated by the Department.

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF ENVIRONMENTAL QUALITY - UNDERGROUND STORAGE TANKS**

**1. Title and its heading:**

18, Environmental Quality

**Chapter and its heading:**

12, Department of Environmental Quality - Underground  
Storage Tanks

**Articles and their headings:**

1, Definitions

2, Technical Requirements

**Sections Affected:**

R18-12-101, R18-12-102, R18-12-250, R18-12-251, R18-12-260,  
R18-12-261, R18-12-261.01, R18-12-261.02, R18-12-262, R18-12-263,  
R18-12-263.01, R18-12-263.02, R18-12-263.03, R18-12-264,  
R18-12-264.01, R18-12-280

**2. The subject matter of the proposed rule:**

This proposed rule will complete the technical requirements for the management of an Underground Storage Tank (UST)

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of 18 A.A.C. 12, Article 2. It will fulfill the statutory requirement to develop rules to implement the reporting and investigation of suspected releases and taking corrective action on confirmed releases of regulated substances from UST systems. These statutory requirements are found at A.R.S. §§ 49-1004 and 49-1005. In order to implement these statutory requirements, the proposed rule also adds several definitions to those currently codified. The proposal also provides a general clarification of the compliance requirements of owners, operators, and other persons subject to regulation under the UST program.

**3. A citation to all published notices relating to the proceeding:**

Notice of Proposed Rulemaking: 8 A.A.R. 1222, March 29, 2002 (*in this issue*)

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Fredrick D. Merrill  
Address: Department of Environmental Quality  
3033 North Central, 8th floor  
Phoenix, AZ 85012  
Telephone: (602) 207-4129  
Fax: (602) 207-2251  
TTD: (602) 207-4829

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

To be published in the Notice of Proposed Rulemaking

**6. A timetable for agency decisions or other action on the proceeding:**

To be published in the Notice of Proposed Rulemaking

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF ENVIRONMENTAL QUALITY - POLLUTION PREVENTION**

**1. Title and its heading:**

18, Environmental Quality

**Chapter and its heading:**

17, Department of Environmental Quality - Pollution Prevention

**Article and its heading:**

1, General

**Section numbers:**

R18-17-102 Toxic Substances List (Section numbers may be added, deleted or modified to address the subject matter of the proposed rule.)

**2. The subject matter of the proposed rule:**

This rulemaking is to amend the rule identifying the toxic substances list to be used by facilities in completing the annual toxic data report.

**3. A citation to all published notices relating to the proceeding:**

Not applicable

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Fredrick D. Merrill  
Address: Arizona Department of Environmental Quality  
3033 N. Central Ave., 533  
Phoenix, AZ 85012  
Telephone: (602) 207-4129 or (800) 234-5677, ext. 2223 (Arizona only)  
Fax: (602) 207-2302

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

None. This is an exempt rulemaking.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

The Notice of Exempt Rulemaking is expected to be filed before June, 2002.